

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2004_1005A
Shinya KADONO et al. : **Confirmation No. 4779**
Serial No. 10/500,575 : Group Art Unit 2482
Filed July 1, 2004 : Examiner Jessica Marie Prince
MOTION COMPENSATION METHOD, : **Mail Stop: ACCOUNTING**
PICTURE CODING METHOD AND : **DIVISION REFUND BRANCH**
PICTURE DECODING METHOD

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A charge in the amount of \$100.00 has been applied to deposit account no. 23-0975 for the above-identified application in error. This charge is due to the filing of a Request for Certificate of Correction on November 29, 2011. The Applicants assert that the Certificate of Correction was due to a PTO mistake and not an Applicant mistake. Thus, a refund of the \$100.00 is respectfully requested for the reasons noted below.

On January 21, 2011, a first request for replacement Form PTO-1449 was filed in order to correct a reference listed on line “AO” of the original IDS filed on July 1, 2004. The first request for replacement Form PTO-1449 was received by the PTO and is presently posted on the PAIR system at the PTO with a corresponding posting date of January 21, 2011 and identified as “Miscellaneous Incoming Letter.”

Roughly four months later a Notice of Allowance was issued on May 13, 2011 and the issue fee was paid on July 28, 2011. The Applicants, however, never received an initialed copy of the fist request for replacement Form PTO-1449 filed on January 21, 2011. The Examiner was contacted regarding the first request for replacement Form PTO-1449 filed on January 21, 2011. However, the Examiner refused to obtain the first request for replacement Form PTO-1449 from the PAIR system at the PTO and indicated that the first request for replacement Form

PTO-1449 was never forwarded to her for examination. The Examiner required the Applicants to submit a second request for replacement Form PTO-1449, even though the first request for replacement Form PTO-1449 is presently posted on the PAIR system at the PTO. Accordingly, the Applicants submitted a second request for replacement Form PTO-1449 on September 14, 2011.

The present application issued as a U.S. patent with the error in the reference on August 30, 2011. The Applicants have never received an initialed copy of the first or the second request for replacement Form PTO-1449. Accordingly, the Request for Certificate of Correction was filed on November 29, 2011.

The Applicants assert that the first request for replacement Form PTO-1449 was filed well in advance of the Notice of Allowance issued May 13, 2011 (i.e., four month later) and payment of the issue fee on July 28, 2011 (i.e., six month later), and was clearly received by the PTO as evidenced by the posting on the PAIR system. Therefore, the Examiner had sufficient time to receive and consider the first request for replacement Form PTO-1449.

Therefore, please kindly refund the total amount of \$100.00 to the deposit account of undersigned, no. 23-0975. If there are any questions regarding this matter, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246. We appreciate your kind assistance.

Respectfully submitted,

Shinya KADONO et al.

/Mark D. Pratt/

B2012.02.03 10:03:46 -05'00'

Mark D. Pratt

Registration No. 45,794

Attorney for Applicants

MDP/lkd

Washington, D.C. 20005-1503

Telephone (202) 721-8200

Facsimile (202) 721-8250

February 3, 2012

2004_1005A